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14 FOODMATCH, INC.

15 UNITED STATES DISTRICT COURT

16 NORTHERN DISTRICT OF CALIFORNIA

17 MICHAEL DODGE,

18 Case No. CV 12-03650 JSW

19 Plaintiff,  
20 v.

**STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE THE  
DEADLINES FOR DISCOVERY  
CUTOFF AND DISCLOSURE OF FINAL  
ROUND OF EXPERTS**

21 FOODMATCH, INC., and DOES ONE  
22 through TWENTY, inclusive,

23 Defendants.

24  
25  
26 Plaintiff MICHAEL DODGE (“Plaintiff”) and Defendant FOODMATCH, INC.  
27 (“Defendant”) by and through their counsel of record herein, hereby stipulate and agree as  
28 follows:

1        WHEREAS, the Court issued a Civil Minute Order on November 16, 2012, ordering the  
2 parties to, among other things, complete discovery by April 29, 2013 and disclose their final  
3 round of experts by May 14, 2013;

4        WHEREAS, the parties participated in a mediation on February 14, 2013 before Robert  
5 Fries, Esq. and delayed commencement of discovery pending the results of the mediation;

6        WHEREAS, the parties were unsuccessful in resolving the case at mediation;

7        WHEREAS, the parties have been diligently attempting to comply with the Court's  
8 pretrial order but need additional time to complete discovery, including depositions;

9        WHEREAS, the parties need additional time to retain and prepare experts prior to  
10 disclosure;

11       WHEREAS, the parties wish to have an opportunity to discuss settlement before retaining  
12 and obtaining reports from all experts;

13       WHEREAS, the parties agree that continuing the current pre-trial deadlines will not  
14 prejudice any party in this case;

15       NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE to extend  
16 the following pre-trial deadlines set by the Court on November 16, 2012, by approximately three  
17 months as follows:

- 18       1. Close of Fact Discovery from April 29, 2013 to August 1, 2013
  - 19       2. Last Day to Disclose Experts from May 14, 2013 to August 15, 2013
  - 20       3. Close of Expert Discovery from May 29, 2013 to August 29, 2013
  - 21       4. Hearing Dispositive Motions from August 16, 2013 at 9:00 a.m. to October 21, 2013  
22                  at 9:00 a.m.
  - 23       5. Pre-trial Conference from November 12, 2013 at 2:00 p.m. to ~~November 25~~, 2013 at  
24                  2:00 p.m.
- 25       //
- 26       //
- 27       //
- 28       //

December 16

1           The Court CONTINUES  
2           The parties do not propose any changes to the dates set for Jury Selection (~~December 4,~~  
3           ~~2013 at 8:00 a.m.~~) or Jury Trial (~~December 9, 2013 at 8:00 a.m.~~)<sup>to January 13, 2014</sup>  
4           to January 8, 2014

5           Dated: April 2, 2013

6           LAW OFFICES OF STEPHEN M. MURPHY

7           By: /s/ P. Bobby Shukla  
8           STEPHEN M. MURPHY  
9           P. BOBBY SHUKLA  
10          Attorneys for Plaintiff  
11          MICHAEL DODGE

12          Dated: April 2, 2013

13          FARBSTEIN & BLACKMAN

14          By: /s/ Michael A. Farbstein  
15          MICHAEL A. FARBSTEIN  
16          Attorneys for Defendant  
17          FOODMATCH, INC.

18          **IT IS SO ORDERED,** AS MODIFIED ABOVE.

19          Dated: April 8, 2013

20          By: Jeffrey S. White  
21          JEFFREY S. WHITE  
22          UNITED STATES DISTRICT JUDGE